IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 8199 of 2005

Between:

Abbamandla Sreedhar Kumar S/o Lakshminarayana
R/o MIG-158, APHB Colony, Miryalaguda, Nalgonda District

..... PETITIONER

AND

1 The Director General of Police, Government of A.P., Hyderabad
2 The Superintendent of Police, Khammam, Khammam District
3 The Deputy Superintendent of Police, Kothagudem, Khammam District
4 The Circle Inspector of Police Palvoncha, Khammam District
5 The Station House Officer, Burgampad P.S. Khammam District
6 Nimmakanti Veena D/o N. Lakshminarayana
R/o Sarapaka Village, Burgampad Mandal, Khammam District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondent No.2 to 5 in summoning the petitioner and her parents to the police stations time and again without there being any crime registered as illegal, arbitrary, unconstitutional and violative of Articles 19 and 21 of the Constitution of India and consequently direct the 1st respondent herein to take appropriate action against the Respondent Nos.2 to 5 for interfering with the personal life and liberty of the petitioner without any reason.

Counsel for the Petitioner:MR.PALLENAGESWAR RAO

Counsel for the Respondents: GP FOR HOME

The Court at the admission stage made the following :

ORAL ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

This writ petition is filed seeking to issue a writ of Mandamus declaring the action of respondents 2 to 5 in summoning the petitioner and his family members to the police station time and again without there being any crime registered as illegal, arbitrary and violative of principles of natural justice and a consequential direction to the 1st respondent herein to take appropriate action against respondents 2 to 5 for interfering with the personal life and liberty of the petitioner without any reason.

The grievance of the petitioner is that respondents 2 to 5 are frequently calling upon him and his family members to the Police Station and harassing them without there being any case registered against them.

In view of the facts and circumstances of the case, it is needless to mention that when no complaint has been registered against the petitioner and his family members, the respondents have no jurisdiction to call upon them unnecessarily to the police station and harass them by interfering with their fundamental right guaranteed under Article 21 of the Constitution of India. It is however made clear that in case, any complaint is registered against them, respondents 2 to 5 are at liberty to proceed strictly in accordance with law.

With the above observation, the writ petition is disposed of. There shall be no order as to costs.

12.04.2005

Jsu/Dr
To

1 The Director General of Police, Government of A.P., Hyderabad
2 The Superintendent of Police, Khammam, Khammam District
3 The Deputy Superintendent of Police, Kothagudem, Khammam District
4 The Circle Inspector of Police Palvoncha, Khammam District
5 The Station House Officer, Burgampad P.S. Khammam District

6 2 CCs to the G.P. for Home, High Court Buildings, Hyderabad. (OUT)

7 2 CD copies

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